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12 Attorneys for Defendant
13 UNITED RENTALS NORTHWEST, INC.
14 (erroneously sued herein as United Rentals, Inc.)

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DISTRICT

18 RICHARD ENGER

19 Plaintiff,

20 vs.

21 UNITED RENTALS, INC. JLG CORP., JLG
22 INDUSTRIES, INC., OSHKOSH CORP.,
23 OSHKOSH INDUSTRIES, INC., and DOES 1
24 through 10, INCLUSIVE

25 Defendant.

) CASE NO. C 08-04882 BZ

)
) **STIPULATION OF DISMISSAL WITH**
) **PREJUDICE AND (PROPOSED)**
) **ORDER**

26 Plaintiff RICHARD ENGER and Defendants UNITED RENTALS NORTHWEST, INC.,
27 by and through their respective attorneys of record, hereby stipulate as follows:

28 1. The Parties have entered into a Confidential Release and Settlement Agreement in
this matter whereby they have resolved all claims and agreed to the dismissal of the above-
captioned action with prejudice, each party to bear their own attorney fees and costs.

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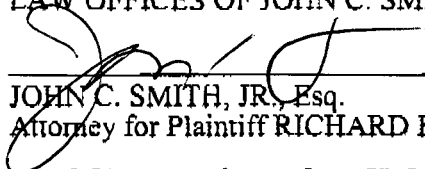
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1
2 Accordingly, the Parties jointly request the Court to dismiss this action with
3 prejudice.

4 Dated: December 16, 2009

LAW OFFICES OF JOHN C. SMITH, JR.


JOHN C. SMITH, JR., Esq.
Attorney for Plaintiff RICHARD ENGER

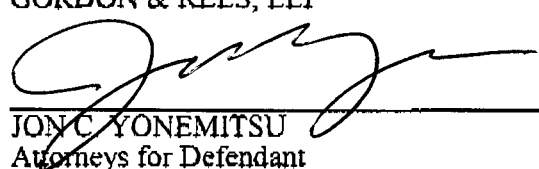
6 Dated: December 16, 2009

LAW OFFICES OF MICHAEL JAY MANDEL


MICHAEL JAY MANDEL, Esq.
Attorney for Plaintiff RICHARD ENGER

10 Dated: December 28, 2009

GORDON & REES, LLP


JON C. YONEMITSU
Attorneys for Defendant
UNITED RENTALS NORTHWEST, INC.,
(erroneously sued herein as United Rentals, Inc.)

15 **ORDER OF DISMISSAL WITH PREJUDICE**

16 Having considered the parties' Stipulation of Dismissal with Prejudice and for good
17 cause appearing, it is hereby ORDERED:

18 The action RICHARD ENGER v. UNITED RENTALS NORTHWEST, INC., et
19 al., Case Number C08-04882 BZ, is dismissed with prejudice with each party to bear their own
20 attorneys fees and costs.

22 Dated: December 28, 2009


UNITED STATES DISTRICT JUDGE
MAGISTRATE